

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹**

[Date approved: October 24, 2006]²

Bill No. and sponsor: S. 3013 (Mr. Harry Reid of Nevada for Mr. John D. (Jay) Rockefeller IV of West Virginia).

Proponent name, location: Philips Electronics Corporation, New York, NY.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Yttrium oxide phosphor, activated by europium used as a luminophore (CAS No. 68585-82-0) (provided for in subheading 3206.50.00).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The product is an inorganic compound that is activated for use as a luminophore in the manufacture of fluorescent lighting, TV and computer monitors, light emitting diodes (LED), and other electronic products. It is imported from the Netherlands.

Estimated effect on customs revenue:

HTS subheading: 3206.50.00					
 	2006	2007	2008	2009	2010
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
Customs revenue loss	\$162,500	\$162,500	\$162,500	\$162,500	\$162,500

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Philips Electronics Corporation (Proponent) Katie Terricciano, 212-536-0694	07/27/2006	No	No	No
Agilent Technologies Robbins Pancake, 202-416-6211	08/03/2006	No	No	No
Apollo Color, Inc. Tom Rogers, 815-722-3965	07/27/2006	No	No	No
ASML US, Inc. Craig DeYoung, 480-383-4005	08/03/2006	No	No	No
Barium and Chemicals, Inc. Albert Pavlik, Jr., 740-282-9779	08/03/2006	No	No	No
BASF Corp. Phil Webb, 704-398-2588	07/27/2006	No	No	No
Bryant Electric Fax: 800-543-0538	08/03/2006	No	No	No
CDR Pigments & Dispersions, Rucker Wickline, 270-737-1700	07/27/2006	No	No	No
CERAC, Inc. Marketing, 414-289-9800	08/03/2006	No	No	No
Chemical Products Corporation Gary D. Graves, 770-382-2144	08/03/2006	No	No	No
Ciba Specialty Chemical Corp. John Demming, 302-479-5499	07/27/2006	No	No	No
Clariant Corp. Andy Zamoyski, 401-823-2230	07/27/2006	No	No	No
ColorChem International Corp. Steven Printz, 770-993-5500	07/27/2006	No	No	No
Cooper Industries, Ltd. Terry Helz, 713-209-8408	08/03/2006	No	No	No
Cree Inc. Leigh Mitchell, 919-313-5300	08/03/2006	No	No	No
Cymer, Inc. Albert Cefalo, 858-385-6222 Edward Juliano, 978-264-0621	08/03/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Diacolor-Pope Bob Turkos, 973-279-2702	07/27/2006	No	No	No
Eaton Corp. Barry Doggett, 216-423-4664	08/03/2006	No	No	No
Emerson Electric Co. Robert McDonald, 202-508-6303	08/03/2006	No	No	No
Ericson Manufacturing Co. Richard Fox, 440-951-8000	08/03/2006	No	No	No
Fanwood Chemical Co. Jim DeLisi, 908-322-8440	07/27/2006	No	No	No
Galaxie Chemical Corp. Richard Caldwell, 973-279-0558	07/27/2006	No	No	No
General Electric Co. Sandy Merber, 202-637-4000	08/03/2006	No	No	No
Hitachi America, Ltd. Carl Green, 202-828-9272	08/03/2006	No	No	No
Hubbell Inc. Thomas Conlin, 203-799-4293	08/03/2006	No	No	No
Intel Corporation David Rose, 202-626-4390	08/03/2006	No	No	No
Leviton Manufacturing Co., Inc. Stephen Hofmann, 202-216-9703	08/03/2006	No	No	No
Light Sources, Inc. John Masuchi, 203-799-7877	08/03/2006	No	No	No
Lutron Electronics Company, Inc. 610-282-3800	08/03/2006	No	No	No
Magruder Color Co., Inc. Joel Weissglass, 973-241-1300	07/27/2006	No	No	No
Mason Color Works, Inc. Carol Mason Cronin, 330-385-4400	07/27/2006	No	No	No
Max Marx Color Corp. Walter Sichel, 973-373-7801	07/27/2006	No	No	No
National Electrical Manufacturers Association John Meakem, 703-841-3243	08/03/2006	No	No	No
Osram Sylvania Pamela Horner, 978-777-1900	08/03/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Pass & Seymour/Lagrand John Clarke, 315-468-8223	08/03/2006	No	No	No
PMC Inc. Gordon McCullough, 847-615-3400	07/27/2006	No	No	No
Siemens Energy and Automation, Inc. Tom Varney, 770-751-2000	08/03/2006	No	No	No
SEMI Victoria Hadfield, 202-289-0440	08/03/2006	No	No	No
Square D Co. 847-397-2600	08/03/2006	No	No	No
Sun Chemical Corp. Ed Faulkner, 513-681-5950	07/27/2006	No	No	No
Technology Research Corp. Robert Wiggins, 727-535-0572	08/03/2006	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide a more defined chemical name.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
2D SESSION

S. 3013

To suspend temporarily the duty on phosphor-YOF FLU PDR YOX; yttrium oxide phosphor, activated by europium.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2006

Mr. REID (for Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on phosphor-YOF FLU PDR YOX; yttrium oxide phosphor, activated by europium.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PHOSPHOR-YOF FLU PDR YOX; YTTRIUM OXIDE**

4 **PHOSPHOR, ACTIVATED BY EUROPIUM.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by inserting in numerical sequence the following
8 new heading:

“	9902.32.38	Phosphor-YOF FLU PDR YOX; yttrium oxide phosphor, activated by europium inorganic products of a kind used as luminophores (CAS No. 68585-82-0) (provided for in subheading 3206.50.00)	Free	No change	No change	On or before 12/31/2009	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) applies to articles entered, or withdrawn
 3 from warehouse for consumption, on or after the 15th day
 4 after the date of the enactment of this Act.

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